

Item SP06-18 Response Form

Title Family Law: Revoke Privacy Notices Declared Unconstitutional (revoke forms FL-316 and FL-317; revise forms FL-150, FL-160, FL-180, FL-344, and FL-345)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **if modified**
- ☐ **Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

☐ **Commenting on behalf of an organization**

Address: _____

City, State, Zip: _____

Please **write** or **fax** or **respond using the Internet** to:

Address: Ms. Romunda Price,
Judicial Council, 455 Golden Gate Avenue,
San Francisco, CA 94102
Fax: (415) 865-7664 **Attention:** Romunda Price
Internet: www.courtinfo.ca.gov/invitationstocomment

DEADLINE FOR COMMENT: 5:00 p.m., Wednesday, August 23, 2006
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Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council
or the Rules and Projects Committee
All comments will become part of the public record of the council's action.*

Title	Family Law: Revoke Privacy Notices Declared Unconstitutional (revoke forms FL-316 and FL-317; revise forms FL-150, FL-160, FL-180, FL-344, and FL-345)
Summary	On May 17, 2006, the California Supreme Court denied review of a ruling by the Second Appellate District (<i>In re Marriage of Burkle</i> , 135 Cal.App.4th 1045) that held new Family Code section 2024.6 to be unconstitutional. Thus, new forms that were based on that legislation should be revoked and existing forms should be revised to delete the paragraphs that refer to that statutory provision.
Source	Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs
Staff	Bonnie Hough, 415-865-7668, bonnie.hough@jud.ca.gov
Discussion	<p>Assembly Bill 782 (Stats. 2004, ch. 45 [Kehoe]) was chaptered as urgency legislation on June 7, 2004. It added sections 2024.5 and 2024.6 to the Family Code. Section 2024.5 allowed the parties to redact their social security numbers from pleadings other than those designed to collect child or spousal support. New section 2024.6(b) provided that the Judicial Council form used to declare the assets and liabilities of the parties in a proceeding for dissolution of marriage, nullity of marriage, or legal separation must require the party filing the form to state whether the form contains information that identifies or locates the parties' assets and liabilities.</p> <p>At its October 15, 2004, meeting, the Judicial Council approved revisions to the forms used for this purpose: <i>Property Declaration (Family Law)</i> (form FL-160), and <i>Income and Expense Declaration</i> (form FL-150). Revisions also were made to three other Judicial Council forms—<i>Judgment (Family Law)</i> (form FL-180), <i>Property Order Attachment to Findings and Order After Hearing (Family Law)</i> (form FL-344), and <i>Property Order Attachment to Judgment (Family Law)</i> (form FL-345)—that may be filled out with identifying information about the assets and debts of a party. A question was added to those forms asking the person completing the form whether it contains such information. The forms also contain a notice that if such information is listed, the document may be sealed in accordance with Family Code section 2024.6(a).</p> <p>That new code section further provided that “[u]pon request by a party to a petition for dissolution of marriage, nullity of marriage, or legal separation, the court shall order a pleading that lists the parties’</p>

financial assets and liabilities and provides the location or identifying information about those assets and liabilities sealed. The request may be made by ex parte application.” To assist parties in sealing the affected documents, the council approved the optional form *Ex Parte Application and Order to Seal Financial Forms (Family Law)* (form FL-316). That form was designed to state the basis for the application and list the specific forms to be sealed. It assisted court clerks in locating the forms and made it clear that only specific documents and not the entire file were to be sealed. It also helped to clarify that this procedure for sealing is one of the exceptions noted in rule 243.1(a)(2) of the California Rules of Court.

Forms FL-100 *Petition—Marriage (Family Law)*, FL-103 *Petition—Domestic Partnership (Family Law)*, FL-120 *Response—Marriage (Family Law)*, and FL-123 *Response—Domestic Partnership (Family Law)* were revised to add a notice that the parties “may redact (black out) social security numbers from any written material filed with the court” in the case other than a form used to collect child or spousal or partner support. FL-142, the *Schedule of Assets and Debts (Family Law)* which is designed as a discovery document and requests detailed identifying and locating information about the parties’ assets and debts, was modified to note that the form should not be filed with the court.

In April 2005, the Judicial Council also approved form FL-317, *Ex Parte Request to View or Obtain Copy of Sealed Family Law Documents (Family Law)* effective July 1, 2005. That form allows a party to view or obtain a copy of a document that has been sealed without unsealing the document.

On February 28, 2005, Judge Roy L. Paul of the Superior Court of Los Angeles County found that Family Code section 2024.6 is unconstitutional, as it violates the First Amendment. The case was appealed to the Court of Appeal, Second Appellate District, which found the section unconstitutional on its face. It held that the presumption of openness applicable to substantive courtroom proceedings in ordinary civil cases applies to court records in divorce proceedings. While the mandated sealing in section 2024.6 of location and identifying information about assets and liabilities is supported by constitutionally guaranteed privacy rights, it places a constitutionally impermissible burden on the First Amendment right of public access to court records because it is neither narrowly

tailored to serve the privacy interest being protected nor the least restrictive means of protecting those privacy interests. (*In re Marriage of Burkle*, 135 Cal.App.4th 1045; opinion of Boland, J.; concurring opinion of Cooper, P. J., and Rubin, J.) The Supreme Court denied review on May 17, 2006.

Thus, forms FL-316 *Ex Parte Application and Order to Seal Financial Forms (Family Law)* and FL-317 *Ex Parte Request to View or Obtain Copy of Sealed Family Law Documents (Family Law)* that carry out the provisions of Family Code section 2024.6 should be revoked as soon as possible. The committee recommends that the forms be revoked as of October 20, 2006, the date that the Judicial Council is scheduled to review rules and forms.

The paragraphs in the *Income and Expense Declaration* (form FL-150), *Property Declaration (Family Law)* (form FL-160), *Judgment (Family Law)* (form FL-180), *Property Order Attachment to Findings and Order After Hearing (Family Law)* (form FL-344), and *Property Order Attachment to Judgment (Family Law)* (form FL-345), which refer to forms FL-316 and FL-317, should be revised. Given the difficulties for practitioners and courts in responding to mid-year changes in forms, the committee recommends that those forms be changed as of January 1, 2007.

Section 2024.5, which permits redacting of social security numbers from most family law pleadings, was not challenged, and it was mentioned favorably by the Second Appellate District in footnote 30, which provides: “The Legislature might choose, for example, to specify limited items of identifying information, such as account numbers, for ‘automatic’ or mandatory redaction that would survive constitutional scrutiny. (Section 2024.5, for example, which was enacted as a part of the legislation that includes section 2024.6, provides for the redaction of any social security number from any pleading, attachment, document, or other written material filed with the court pursuant to a dissolution petition.) This court, however, cannot deduce any such intention from the policy judgments articulated by the Legislature in the statute and its history.” (*Burkle* at 135 Cal.App.4th 1045.) Thus, there is no recommendation to amend the provisions on the forms relating to redacting of social security numbers.

Two additional technical changes are suggested for the *Income and*

Expense Declaration (form FL-150). The first is to take out the reference that litigants should attach their pay stubs to the first page. Pay stubs are generally attached at the end of the form, and, it could be difficult for clerks to file forms with large pay stubs attached to the front of the form. With the elimination of the word "here" parties will no longer be directed to attach pay stubs to the first page and will attach them as exhibits to the form or submit them separately. Many parties do this currently, despite the direction to attach them to the first page. The second change is to correct the current typographical error in which there are two questions numbered "5." One is at the bottom of the first page, and the second is at the top of the second. It does not appear that numbering is needed for the first question, and thus it is proposed that the first "5" be removed.

The proposed forms are attached at pages 5–22. Copies of Family Code sections 2024.5 and 2024.6 are attached.

Attachments

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY Draft 1 06/27/06 mc Not approved by Judicial Council Revoke Jan. 1, 2007
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER: _____ RESPONDENT: _____	
EX PARTE APPLICATION AND ORDER TO SEAL FINANCIAL FORMS	

1. I am the ☐ petitioner ☐ respondent ☐ other (specify): _____ in this case.
2. I request that the family law forms and other written documents listed below be sealed because they contain the location or identifying information about my assets or debts.
- | <u>Name of form or written document</u> | <u>Date filed</u> |
|---|-------------------|
| a. _____ | _____ |
| b. _____ | _____ |
| c. _____ | _____ |
| d. _____ | _____ |
| e. _____ | _____ |
- ☐ Continued on Attachment 2(f).
3. I have provided the other party in this case with copies of all these documents. A copy of each of these documents is attached. These documents ☐ have ☐ have not been filed previously.
4. I have given notice to the other party in this case. My proof of service of ex parte application is attached.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME)

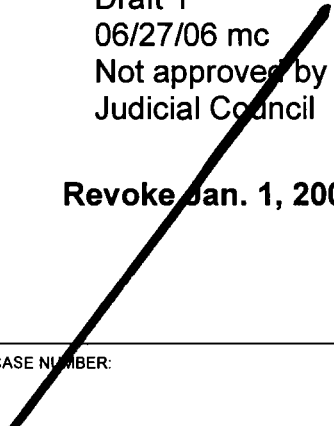
(SIGNATURE OF PARTY)

ORDER

Upon reviewing the listed documents, it appears that they contain the location of, or identifying information about, the parties' assets or debts. Therefore, following Family Code section 2024.6, the court orders that the documents listed on lines ☐ 2a ☐ 2b ☐ 2c ☐ 2d ☐ 2e and on attachment 2(f) (specify documents): _____ be sealed.

Date: _____

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY	
TELEPHONE NO. : FAX NO. (Optional):		Draft 1 06/27/06 mc Not approved by Judicial Council Revoke Jan. 1, 2007	
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS:			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
PETITIONER:			
RESPONDENT:			
EX PARTE REQUEST TO VIEW OR OBTAIN COPY OF SEALED FAMILY LAW DOCUMENTS			CASE NUMBER:

1. Request to view or obtain a copy of sealed documents.

a. ☐ I am the ☐ petitioner ☐ respondent ☒ attorney of record for petitioner or respondent in this action. I would like to view or obtain a copy of the documents listed in item 2 and request that they remain sealed under Family Code section 2024.6.

b. ☐ I am an agent of the local child support agency (LCSA), which has been joined to the action to establish, modify, or enforce a support order on behalf of the ☐ petitioner ☒ respondent ☐ other (specify):

I would like to view or obtain a copy of the documents listed in item 2, related to the parties' financial information, and request that they remain sealed.

If you are not a person specified above or if you want these documents unsealed, you must complete an *Order to Show Cause* (form FL-300) or a *Notice of Motion* (form FL-301) and an *Application for Order and Supporting Declaration* (form FL-310) explaining your reasons for this request.

- 2. Documents I want:**

Date filed (if known)

-
-
-
-

☐ Continued on Attachment 2.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY)

ORDER

The court having reviewed this request and the listed documents, the person making the request may view or obtain a copy of the documents listed above with the exception of:
subject to payment of the appropriate copying costs by the requestor. The requestor must use these documents only in a legally authorized manner.

Date:

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY CURRENT FORM WITH DELETIONS 07/20/06
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CURRENT FORM WITH DELETIONS 07/20/06
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	
INCOME AND EXPENSE DECLARATION	
CASE NUMBER:	

1. Employment (Give information on your current job or, if you're unemployed, your most recent job.)

Attach copies of your pay stubs for last two months ~~here~~ (black out social security numbers).

- a. Employer:
- b. Employer's address:
- c. Employer's phone number:
- d. Occupation:
- e. Date job started:
- f. If unemployed, date job ended:
- g. I work about _____ hours per week.
- h. I get paid \$ _____ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8½-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

2. Age and education

- a. My age is (specify): _____
- b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (specify): _____
- c. Number of years of college completed (specify): _____ Degree(s) obtained (specify): _____
- d. Number of years of graduate school completed (specify): _____ Degree(s) obtained (specify): _____
- e. I have: ☐ professional/occupational license(s) (specify): _____
☐ vocational training (specify): _____

3. Tax information

- a. ☐ I last filed taxes for tax year (specify year): _____
- b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
☐ married, filing jointly with (specify name): _____
- c. I file state tax returns in ☐ California ☐ other (specify state): _____
- d. I claim the following number of exemptions (including myself) on my taxes (specify): _____

- 4. Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (specify): \$ _____
 This estimate is based on (explain): _____

(If you need more space to answer any questions on this form, attach an 8½-by-11-inch sheet of paper and write the question number before your answer.)

- 5. Number of pages attached:** _____

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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Attach copies of your pay stubs for the last two months and proof of any other income ~~to the first page~~. Take a copy of your latest federal tax return to the court hearing. (Black out your social security number on the pay stub and tax return.)

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)

	Last month	Average monthly
a. Salary or wages (gross, before taxes)	\$ _____	_____
b. Overtime (gross, before taxes)	\$ _____	_____
c. Commissions or bonuses	\$ _____	_____
d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving	\$ _____	_____
e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage	\$ _____	_____
f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership	\$ _____	_____
g. Pension/retirement fund payments	\$ _____	_____
h. Social security retirement (not SSI)	\$ _____	_____
i. Disability: <input type="checkbox"/> Social security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance	\$ _____	_____
j. Unemployment compensation	\$ _____	_____
k. Workers' compensation	\$ _____	_____
l. Other (military BAQ, royalty payments, etc.) (specify):	\$ _____	_____

6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)

a. Dividends/interest	\$ _____	_____
b. Rental property income	\$ _____	_____
c. Trust income	\$ _____	_____
d. Other (specify):	\$ _____	_____

7. **Income from self-employment, after business expenses for all businesses.** \$ _____

I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify): _____

Number of years in this business (specify): _____

Name of business (specify): _____

Type of business (specify): _____

Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your social security number. If you have more than one business, provide the information above for each of your businesses.

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount): _____

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify): _____

10. **Deductions** Last month

a. Required union dues	\$ _____	_____
b. Required retirement payments (not social security, FICA, 401(k), or IRA)	\$ _____	_____
c. Medical, hospital, dental, and other health insurance premiums (total monthly amount)	\$ _____	_____
d. Child support that I pay for children from other relationships	\$ _____	_____
e. Spousal support that I pay by court order from a different marriage	\$ _____	_____
f. Partner support that I pay by court order from a different domestic partnership	\$ _____	_____
g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g")	\$ _____	_____

11. **Assets** Total

a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts	\$ _____	_____
b. Stocks, bonds, and other assets I could easily sell	\$ _____	_____
c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe)	\$ _____	_____

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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12. The following people live with me:

Name	Age	How the person is related to me? (ex: son)	That person's gross monthly income	Pays some of the household expenses?
a.				<input type="checkbox"/> Yes <input type="checkbox"/> No
b.				<input type="checkbox"/> Yes <input type="checkbox"/> No
c.				<input type="checkbox"/> Yes <input type="checkbox"/> No
d.				<input type="checkbox"/> Yes <input type="checkbox"/> No
e.				<input type="checkbox"/> Yes <input type="checkbox"/> No

13. Average monthly expenses ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

- | | |
|---|--|
| <p>a. Home:</p> <p>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage... \$ _____</p> <p style="padding-left: 20px;">If mortgage:</p> <p style="padding-left: 40px;">(a) average principal: \$ _____</p> <p style="padding-left: 40px;">(b) average interest: \$ _____</p> <p>(2) Real property taxes \$ _____</p> <p>(3) Homeowner's or renter's insurance (if not included above) \$ _____</p> <p>(4) Maintenance and repair \$ _____</p> <p>b. Health-care costs not paid by insurance... \$ _____</p> <p>c. Child care \$ _____</p> <p>d. Groceries and household supplies. \$ _____</p> <p>e. Eating out. \$ _____</p> <p>f. Utilities (gas, electric, water, trash) \$ _____</p> <p>g. Telephone, cell phone, and e-mail \$ _____</p> | <p>h. Laundry and cleaning \$ _____</p> <p>i. Clothes \$ _____</p> <p>j. Education \$ _____</p> <p>k. Entertainment, gifts, and vacation. \$ _____</p> <p>l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) \$ _____</p> <p>m. Insurance (life, accident, etc.; do not include auto, home, or health insurance). . . \$ _____</p> <p>n. Savings and investments. \$ _____</p> <p>o. Charitable contributions. \$ _____</p> <p>p. Monthly payments listed in item 14 (itemize below in 14 and insert total here). . \$ _____</p> <p>q. Other (specify): \$ _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>r. TOTAL EXPENSES (a-q) (do not add in the amounts in a(1)(a) and (b)) \$ _____</p> </div> <p>s. Amount of expenses paid by others \$ _____</p> |
|---|--|

14. Installment payments and debts not listed above

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

~~15. This form ☐ does ☐ does not contain the locations of, or identifying information about, the assets and debts listed.~~
 NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an *Ex Parte Application and Order to Seal Financial Forms* (form FL-316).

- 16. Attorney fees (This is required if either party is requesting attorney fees.):** \$
- a. To date, I have paid my attorney this amount for fees and costs (specify): \$
- b. The source of this money was (specify):
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify): \$

I confirm this fee arrangement.

Date:

_____ (TYPE OR PRINT NAME OF ATTORNEY)	_____ (SIGNATURE OF ATTORNEY)
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PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

CHILD SUPPORT INFORMATION
(NOTE: Fill out this page only if your case involves child support.)

17. Number of children

- a. I have *(specify number)*: _____ children under the age of 18 with the other parent in this case.
- b. The children spend _____ percent of their time with me and _____ percent of their time with the other parent.
(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

18. Children's health-care expenses

- a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
- b. Name of insurance company: _____
- c. Address of insurance company: _____
- d. The monthly cost for the **children's** health insurance is or would be *(specify)*: \$ _____
(Do not include the amount your employer pays.)

19. Additional expenses for the children in this case

Amount per month

- a. Child care so I can work or get job training. \$ _____
- b. Children's health care not covered by insurance \$ _____
- c. Travel expenses for visitation \$ _____
- d. Children's educational or other special needs *(specify below)*: \$ _____

20. Special hardships. I ask the court to consider the following special financial circumstances

(attach documentation of any item listed here, including court orders):

Amount per month

For how many months?

- a. Extraordinary health expenses not included in 19b ^{19b} \$ _____
- b. Major losses not covered by insurance (examples: fire, theft, other insured loss) \$ _____
- c. (1) Expenses for my minor children who are from other relationships and are living with me \$ _____
- (2) Names and ages of those children *(specify)*: _____

(3) Child support I receive for those children. \$ _____

The expenses listed in a, b, and c create an extreme financial hardship because *(explain)*:

21. Other information I want the court to know concerning support in my case *(specify)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY Draft 3 07/19/06 mc Not approved by Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	
INCOME AND EXPENSE DECLARATION	CASE NUMBER:

1. Employment (Give information on your current job or, if you're unemployed, your most recent job.)

Attach copies of your pay stubs for last two months (black out social security numbers).

- a. Employer:
- b. Employer's address:
- c. Employer's phone number:
- d. Occupation:
- e. Date job started:
- f. If unemployed, date job ended:
- g. I work about _____ hours per week.
- h. I get paid \$ _____ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8½-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

2. Age and education

- a. My age is (specify):
- b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (specify):
- c. Number of years of college completed (specify): ☐ Degree(s) obtained (specify):
- d. Number of years of graduate school completed (specify): ☐ Degree(s) obtained (specify):
- e. I have: ☐ professional/occupational license(s) (specify):
☐ vocational training (specify):

3. Tax information

- a. ☐ I last filed taxes for tax year (specify year):
- b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
☐ married, filing jointly with (specify name):
- c. I file state tax returns in ☐ California ☐ other (specify state):
- d. I claim the following number of exemptions (including myself) on my taxes (specify):

4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (specify): \$
 This estimate is based on (explain):

(If you need more space to answer any questions on this form, attach an 8½-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. (Black out your social security number on the pay stub and tax return.)

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)
- | | Last month | Average monthly |
|--|------------|-----------------|
| a. Salary or wages (gross, before taxes) | \$ _____ | _____ |
| b. Overtime (gross, before taxes) | \$ _____ | _____ |
| c. Commissions or bonuses. | \$ _____ | _____ |
| d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving | \$ _____ | _____ |
| e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage | \$ _____ | _____ |
| f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership | \$ _____ | _____ |
| g. Pension/retirement fund payments. | \$ _____ | _____ |
| h. Social security retirement (not SSI) | \$ _____ | _____ |
| i. Disability: <input type="checkbox"/> Social security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance | \$ _____ | _____ |
| j. Unemployment compensation | \$ _____ | _____ |
| k. Workers' compensation | \$ _____ | _____ |
| l. Other (military BAQ, royalty payments, etc.) (specify): | \$ _____ | _____ |

6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)
- | | | |
|-------------------------------------|----------|-------|
| a. Dividends/interest. | \$ _____ | _____ |
| b. Rental property income | \$ _____ | _____ |
| c. Trust income. | \$ _____ | _____ |
| d. Other (specify): | \$ _____ | _____ |

7. **Income from self-employment, after business expenses for all businesses.** \$ _____
- I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify): _____
- Number of years in this business (specify): _____
- Name of business (specify): _____
- Type of business (specify): _____

Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your social security number. If you have more than one business, provide the information above for each of your businesses.

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount): _____

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify): _____

10. **Deductions** Last month
- | | |
|---|----------|
| a. Required union dues | \$ _____ |
| b. Required retirement payments (not social security, FICA, 401(k), or IRA). | \$ _____ |
| c. Medical, hospital, dental, and other health insurance premiums (total monthly amount). | \$ _____ |
| d. Child support that I pay for children from other relationships. | \$ _____ |
| e. Spousal support that I pay by court order from a different marriage. | \$ _____ |
| f. Partner support that I pay by court order from a different domestic partnership | \$ _____ |
| g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g") | \$ _____ |

11. **Assets** Total
- | | |
|---|----------|
| a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts | \$ _____ |
| b. Stocks, bonds, and other assets I could easily sell | \$ _____ |
| c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe) | \$ _____ |

PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT/CLAIMANT: _____	CASE NUMBER: _____
---	-----------------------

12. The following people live with me:

Name	Age	How the person is related to me? (ex: son)	That person's gross monthly income	Pays some of the household expenses?
a.				<input type="checkbox"/> Yes <input type="checkbox"/> No
b.				<input type="checkbox"/> Yes <input type="checkbox"/> No
c.				<input type="checkbox"/> Yes <input type="checkbox"/> No
d.				<input type="checkbox"/> Yes <input type="checkbox"/> No
e.				<input type="checkbox"/> Yes <input type="checkbox"/> No

13. Average monthly expenses ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

- | | |
|---|---|
| <p>a. Home:</p> <p>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage... \$ _____</p> <p style="padding-left: 20px;">If mortgage:</p> <p style="padding-left: 40px;">(a) average principal: \$ _____</p> <p style="padding-left: 40px;">(b) average interest: \$ _____</p> <p>(2) Real property taxes \$ _____</p> <p>(3) Homeowner's or renter's insurance (if not included above) \$ _____</p> <p>(4) Maintenance and repair \$ _____</p> <p>b. Health-care costs not paid by insurance... \$ _____</p> <p>c. Child care \$ _____</p> <p>d. Groceries and household supplies. \$ _____</p> <p>e. Eating out. \$ _____</p> <p>f. Utilities (gas, electric, water, trash) \$ _____</p> <p>g. Telephone, cell phone, and e-mail \$ _____</p> | <p>h. Laundry and cleaning \$ _____</p> <p>i. Clothes \$ _____</p> <p>j. Education \$ _____</p> <p>k. Entertainment, gifts, and vacation. \$ _____</p> <p>l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) \$ _____</p> <p>m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)... \$ _____</p> <p>n. Savings and investments. \$ _____</p> <p>o. Charitable contributions. \$ _____</p> <p>p. Monthly payments listed in item 14 (itemize below in 14 and insert total here). . \$ _____</p> <p>q. Other (specify): \$ _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>r. TOTAL EXPENSES (a–q) (do not add in the amounts in a(1)(a) and (b)) \$ _____</p> </div> <p>s. Amount of expenses paid by others \$ _____</p> |
|---|---|

14. Installment payments and debts not listed above

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

15. Attorney fees (This is required if either party is requesting attorney fees.): \$

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$
- b. The source of this money was (specify):
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify): \$

I confirm this fee arrangement.

Date:

(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY)

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

CHILD SUPPORT INFORMATION**(NOTE: Fill out this page only if your case involves child support.)****16. Number of children**

- a. I have *(specify number)*: _____ children under the age of 18 with the other parent in this case.
- b. The children spend _____ percent of their time with me and _____ percent of their time with the other parent.
(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

17. Children's health-care expenses

- a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
- b. Name of insurance company:
- c. Address of insurance company:
- d. The monthly cost for the **children's** health insurance is or would be *(specify)*: \$
(Do not include the amount your employer pays.)

18. Additional expenses for the children in this case

Amount per month

- a. Child care so I can work or get job training. \$ _____
- b. Children's health care not covered by insurance \$ _____
- c. Travel expenses for visitation \$ _____
- d. Children's educational or other special needs *(specify below)*: \$ _____

19. Special hardships. I ask the court to consider the following special financial circumstances*(attach documentation of any item listed here, including court orders):*

Amount per month

For how many months?

- a. Extraordinary health expenses not included in 18b. \$ _____
- b. Major losses not covered by insurance (examples: fire, theft, other insured loss) \$ _____
- c. (1) Expenses for my minor children who are from other relationships and are living with me \$ _____
- (2) Names and ages of those children *(specify)*:

(3) Child support I receive for those children. \$ _____

The expenses listed in a, b, and c create an extreme financial hardship because *(explain)*:**20. Other information I want the court to know concerning support in my case *(specify)*:**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO. (Optional):</div> </div> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY CURRENT FORM WITH DELETIONS 07/20/06
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
<input type="checkbox"/> PETITIONER'S <input type="checkbox"/> RESPONDENT'S <input type="checkbox"/> COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION <input type="checkbox"/> SEPARATE PROPERTY DECLARATION	CASE NUMBER:

INSTRUCTIONS

When this form is attached to the *Petition* or *Response*, values and your proposal regarding division need not be completed. Do not list community, including quasi-community, property with separate property on the same form. Quasi-community property must be so identified. For additional space, use *Continuation of Property Declaration* (form FL-161).

ITEM NO.	BRIEF DESCRIPTION	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION	
					Award to: PETITIONER	RESPONDENT
1. REAL ESTATE		\$	\$	\$	\$	\$
2. HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES						
3. JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc.						
4. VEHICLES, BOATS, TRAILERS						

ITEM NO.	BRIEF DESCRIPTION	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION	
					Award to: PETITIONER	RESPONDENT
5.	SAVINGS, CHECKING, CREDIT UNION, CASH	\$	\$	\$	\$	\$
6.	LIFE INSURANCE (CASH VALUE)					
7.	EQUIPMENT, MACHINERY, LIVESTOCK					
8.	STOCKS, BONDS, SECURED NOTES					
9.	RETIREMENT, PENSION, PROFIT-SHARING, ANNUITIES					
10.	ACCOUNTS RECEIVABLE, UNSECURED NOTES, TAX REFUNDS					
11.	PARTNERSHIPS, OTHER BUSINESS INTERESTS					
12.	OTHER ASSETS AND DEBTS					
13.	TOTAL FROM CONTINUATION SHEET					
14.	TOTALS					

15. ☐ A Continuation of Property Declaration (form FL-161) is attached and incorporated by reference.

16. This form ☐ does ☐ does not contain the locations of, or identifying information about, the assets and debts listed.
 NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an Ex Parte Application and Order to Seal Financial Records (form FL-316).

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY Draft 2 07/07/06 xyz Not approved by Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITIONER: RESPONDENT:		
<input type="checkbox"/> PETITIONER'S <input type="checkbox"/> RESPONDENT'S <input type="checkbox"/> COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION <input type="checkbox"/> SEPARATE PROPERTY DECLARATION		CASE NUMBER:

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I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) : TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY CURRENT FORM WITH DELETIONS 07/20/06
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
MARRIAGE OF PETITIONER: RESPONDENT:	
<div style="text-align: center;">JUDGMENT</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> Status only <input type="checkbox"/> Reserving jurisdiction over termination of marital or domestic partnership status <input type="checkbox"/> Judgment on reserved issues Date marital or domestic partnership status ends: </div> <div style="width: 30%;"> <input type="checkbox"/> LEGAL SEPARATION </div> <div style="width: 30%;"> <input type="checkbox"/> NULLITY </div> </div>	CASE NUMBER:

1. ☐ This judgment ☐ contains personal conduct restraining orders ☐ modifies existing restraining orders.
 The restraining orders are contained on page(s) _____ of the attachment. They expire on (date): _____
2. This proceeding was heard as follows: ☐ Default or uncontested ☐ By declaration under Family Code section 2336
☐ Contested
- a. Date: _____ Dept.: _____ Room: _____
 b. Judicial officer (name): _____ ☐ Temporary judge
 c. ☐ Petitioner present in court ☐ Attorney present in court (name): _____
 d. ☐ Respondent present in court ☐ Attorney present in court (name): _____
 e. ☐ Claimant present in court (name): _____ ☐ Attorney present in court (name): _____
 f. ☐ Other (specify name): _____
3. The court acquired jurisdiction of the respondent on (date):
 a. ☐ The respondent was served with process.
 b. ☐ The respondent appeared.

THE COURT ORDERS, GOOD CAUSE APPEARING

4. a. ☐ Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
 (1) ☐ on (specify date): _____
 (2) ☐ on a date to be determined on noticed motion of either party or on stipulation.
- b. ☐ Judgment of legal separation is entered.
- c. ☐ Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): _____
- d. ☐ This judgment will be entered nunc pro tunc as of (date): _____
- e. ☐ Judgment on reserved issues.
- f. The ☐ petitioner's ☐ respondent's former name is restored to (specify): _____
- g. ☐ Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
- h. ☐ This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME (Last name, first name of each party): 	CASE NUMBER:
--	----------------------

4. (Cont'd.)

- i. ☐ A settlement agreement between the parties is attached.
- j. ☐ A written stipulation for judgment between the parties is attached.
- k. ☐ Child custody and visitation are ordered as set forth in the attached
 - (1) ☐ settlement agreement, stipulation for judgment, or other written agreement.
 - (2) ☐ *Child Custody and Visitation Order Attachment* (form FL-341).
 - (3) ☐ *Stipulation and Order for Custody and/or Visitation of Children* (form FL-355).
 - (4) ☐ other (specify):
- l. ☐ Child support is ordered as set forth in the attached
 - (1) ☐ settlement agreement, stipulation for judgment, or other written agreement.
 - (2) ☐ *Child Support Information and Order Attachment* (form FL-342).
 - (3) ☐ *Stipulation to Establish or Modify Child Support and Order* (form FL-350).
 - (4) ☐ other (specify):
- m. ☐ Spousal or partner support is ordered as set forth in the attached
 - (1) ☐ settlement agreement, stipulation for judgment, or other written agreement.
 - (2) ☐ *Spousal, Partner, or Family Support Order Attachment* (form FL-343).
 - (3) ☐ other (specify):

NOTICE: It is the goal of this state that each party will make reasonable good faith efforts to become self-supporting as provided for in Family Code section 4320. The failure to make reasonable good faith efforts may be one of the factors considered by the court as a basis for modifying or terminating spousal or partner support.

- n. ☐ Property division is ordered as set forth in the attached
 - (1) ☐ settlement agreement, stipulation for judgment, or other written agreement.
 - (2) ☐ *Property Order Attachment to Judgment* (form FL-345).
 - (3) ☐ other (specify):
- o. ☐ Parentage is established for children of this relationship born prior to the marriage or domestic partnership.
- p. ☐ Other (specify):

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions.

Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date:

5. Number of pages attached: _____

JUDICIAL OFFICER
☐ SIGNATURE FOLLOWS LAST ATTACHMENT

~~This form ☐ does ☐ does not contain the locations of, or identifying information about, the assets and debts listed.~~
 NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an *Ex Parte Application and Order to Seal Financial Information* (form FL-316).

NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) : TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY Draft 1 06/27/06 mc Not approved by Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
MARRIAGE OF PETITIONER: RESPONDENT:	
<div style="text-align: center;">JUDGMENT</div> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> LEGAL SEPARATION <input type="checkbox"/> NULLITY </div> <div style="margin-left: 20px;"> <input type="checkbox"/> Status only <input type="checkbox"/> Reserving jurisdiction over termination of marital or domestic partnership status <input type="checkbox"/> Judgment on reserved issues </div> Date marital or domestic partnership status ends:	CASE NUMBER:

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- a. Date: _____ Dept.: _____ Room: _____
 b. Judicial officer (name): _____ ☐ Temporary judge
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 d. ☐ Respondent present in court ☐ Attorney present in court (name): _____
 e. ☐ Claimant present in court (name): _____ ☐ Attorney present in court (name): _____
 f. ☐ Other (specify name): _____
3. The court acquired jurisdiction of the respondent on (date): _____
- a. ☐ The respondent was served with process.
 b. ☐ The respondent appeared.

THE COURT ORDERS, GOOD CAUSE APPEARING

4. a. ☐ Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
 (1) ☐ on (specify date): _____
 (2) ☐ on a date to be determined on noticed motion of either party or on stipulation.
- b. ☐ Judgment of legal separation is entered.
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- d. ☐ This judgment will be entered nunc pro tunc as of (date): _____
- e. ☐ Judgment on reserved issues.
- f. The ☐ petitioner's ☐ respondent's former name is restored to (specify): _____
- g. ☐ Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
- h. ☐ This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME <i>(Last name, first name of each party):</i> _____	CASE NUMBER: _____
--	-----------------------

4. *(Cont'd.)*

- i. ☐ A settlement agreement between the parties is attached.
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 - (3) ☐ other *(specify)*:

NOTICE: It is the goal of this state that each party will make reasonable good faith efforts to become self-supporting as provided for in Family Code section 4320. The failure to make reasonable good faith efforts may be one of the factors considered by the court as a basis for modifying or terminating spousal or partner support.

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- o. ☐ Parentage is established for children of this relationship born prior to the marriage or domestic partnership.
- p. ☐ Other *(specify)*:

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions.

Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date: _____

JUDICIAL OFFICER

5. Number of pages attached: _____

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

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Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

PETITIONER :	CASE NUMBER:
RESPONDENT:	

**PROPERTY ORDER ATTACHMENT
TO FINDINGS AND ORDER AFTER HEARING**

THE COURT ORDERS

1. ☐ **Property restraining orders**
- a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- b. The ☐ petitioner ☐ respondent must notify the other party of any proposed extraordinary expenses at least five business days before incurring such expenses, and make an accounting of such to the court.
- c. The ☐ petitioner ☐ respondent is restrained from cashing, borrowing against, cancelling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor child or children.
- d. The ☐ petitioner ☐ respondent must not incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2. ☐ **Possession of property.** The exclusive use, possession, and control of the following property that the parties own or are buying is given as specified:

Property

Given to

☐ See Attachment 2.

3. ☐ **Payment of debts.** Payments on the following debts that come due while this order is in effect must be paid as follows:

Total debt	Amount of payments	Pay to	Paid by
\$	\$		
\$	\$		
\$	\$		
\$	\$		

☐ See Attachment 3.

4. ☐ These are temporary orders only. The court will make final orders at the time of judgment.
5. ☐ Other (specify):

6. ~~This form ☐ does ☐ does not~~ contain the locations of, or identifying information about, the assets and debts listed.

~~NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an Ex Parte Application and Order to Seal Financial Forms (form FL-910).~~

PETITIONER :	CASE NUMBER:
RESPONDENT:	

**PROPERTY ORDER ATTACHMENT
TO FINDINGS AND ORDER AFTER HEARING**

THE COURT ORDERS

1. ☐ **Property restraining orders**
 - a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
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 - d. The ☐ petitioner ☐ respondent must not incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
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Property
Given to
- ☐ See Attachment 2.
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Total debt	Amount of payments	Pay to	Paid by
\$	\$		
\$	\$		
\$	\$		
\$	\$		
- ☐ See Attachment 3.
4. ☐ These are temporary orders only. The court will make final orders at the time of judgment.
5. ☐ Other (*specify*):

PETITIONER:	CASE NUMBER:
RESPONDENT:	

PROPERTY ORDER ATTACHMENT TO JUDGMENT

1. Division of community property assets

- a. ☐ There are no community property assets.
- b. ☐ The court finds that the net value of the community estate is less than \$5,000 and that the ☐ petitioner ☐ respondent cannot be found. Under Family Code section 2604, the entire community estate is awarded to the ☐ petitioner ☐ respondent.
- c. ☐ The petitioner will receive the following assets: *(Attach additional page if necessary.)*

- d. ☐ The respondent will receive the following assets: *(Attach additional page if necessary.)*

- e. The ☐ petitioner ☐ respondent will be responsible for preparing and filing a *Qualified Domestic Relations Order (QDRO)* to divide the following plan or retirement account(s) *(specify)*:

The fee for preparation of the QDRO shall be shared as follows *(specify)*:

- f. ☐ Other orders:

- g. ☐ Each spouse will receive the assets listed above as his or her sole and separate property. The parties must execute any and all documents required to carry out this division.

- h. The court reserves jurisdiction to divide any community assets not listed here and enforce the terms of this order.

2. Division of community property debts

- a. ☐ There are no community debts.
- b. ☐ All community debts have been paid by the ☐ petitioner ☐ respondent.
The ☐ petitioner ☐ respondent must reimburse the other party: \$
The payment plan is as follows:

- c. ☐ The petitioner will be responsible for the following debts: *(Attach additional page if necessary.)*

- d. ☐ The respondent will be responsible for the following debts: *(Attach additional page if necessary.)*

PETITIONER:	CASE NUMBER:
RESPONDENT:	

e. ☐ Other orders:

f. Each party will be solely responsible for paying the debts assigned to him or her and will hold the other harmless from those debts. The parties understand that the creditors are not bound by this judgment. If a creditor seeks payment from the party who is not listed as responsible for the debt, that party can file a motion to seek reimbursement from the defaulting party.

g. The court reserves jurisdiction to divide any community debts not listed here.

3. ☐ **Equalization of division of property and debt orders.** To equalize the division of the community property assets and debts, the ☐ petitioner ☐ respondent must pay to the other the sum of: \$, payable as follows (specify):

4. **Separate property**

a. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the petitioner:

b. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the respondent:

5. ☐ The settlement agreement between the parties dated (date): is attached and made a part of this judgment.

6. ☐ **Sale of property.** The following property will be offered for sale and sold for the fair market value as soon as a willing buyer can be found, and the net proceeds from the sale will be ☐ divided equally ☐ other (specify):

7. ☐ Other orders (specify):

8. ~~This form ☐ does ☐ does not~~ contain the locations of, or identifying information about, the assets and debts listed.

~~NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an Ex Parte Application and Order to Seal Financial Forms (Form FL-316).~~

PETITIONER:	CASE NUMBER:
RESPONDENT:	

PROPERTY ORDER ATTACHMENT TO JUDGMENT

1. Division of community property assets

- a. ☐ There are no community property assets.
- b. ☐ The court finds that the net value of the community estate is less than \$5,000 and that the ☐ petitioner ☐ respondent cannot be found. Under Family Code section 2604, the entire community estate is awarded to the ☐ petitioner ☐ respondent.
- c. ☐ The petitioner will receive the following assets: *(Attach additional page if necessary.)*
- d. ☐ The respondent will receive the following assets: *(Attach additional page if necessary.)*
- e. The ☐ petitioner ☐ respondent will be responsible for preparing and filing a *Qualified Domestic Relations Order* (QDRO) to divide the following plan or retirement account(s) *(specify)*:
- The fee for preparation of the QDRO shall be shared as follows *(specify)*:
- f. ☐ Other orders:
- g. ☐ Each spouse will receive the assets listed above as his or her sole and separate property. The parties must execute any and all documents required to carry out this division.
- h. The court reserves jurisdiction to divide any community assets not listed here and enforce the terms of this order.

2. Division of community property debts

- a. ☐ There are no community debts.
- b. ☐ All community debts have been paid by the ☐ petitioner ☐ respondent.
The ☐ petitioner ☐ respondent must reimburse the other party: \$
The payment plan is as follows:
- c. ☐ The petitioner will be responsible for the following debts: *(Attach additional page if necessary.)*
- d. ☐ The respondent will be responsible for the following debts: *(Attach additional page if necessary.)*

PETITIONER:	CASE NUMBER:
RESPONDENT:	

e. ☐ Other orders:

f. Each party will be solely responsible for paying the debts assigned to him or her and will hold the other harmless from those debts. The parties understand that the creditors are not bound by this judgment. If a creditor seeks payment from the party who is not listed as responsible for the debt, that party can file a motion to seek reimbursement from the defaulting party.

9. The court reserves jurisdiction to divide any community debts not listed here.

3. ☐ **Equalization of division of property and debt orders.** To equalize the division of the community property assets and debts, the ☐ petitioner ☐ respondent must pay to the other the sum of: \$ _____, payable as follows (*specify*):

4. **Separate property**

a. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the petitioner:

b. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the respondent:

5. ☐ The settlement agreement between the parties dated (*date*): _____ is attached and made a part of this judgment.

6. ☐ **Sale of property.** The following property will be offered for sale and sold for the fair market value as soon as a willing buyer can be found, and the net proceeds from the sale will be ☐ divided equally ☐ other (*specify*):

7. ☐ Other orders (*specify*):

Family Code Sections

No challenge raised:

2024.5. (a) Except as provided in subdivision (b), the petitioner or respondent may redact any social security number from any pleading, attachment, document, or other written material filed with the court pursuant to a petition for dissolution of marriage, nullity of marriage, or legal separation. The Judicial Council form used to file such a petition, or a response to such a petition, shall contain a notice that the parties may redact any social security numbers from those pleadings, attachments, documents, or other material filed with the court.

(b) An abstract of support judgment, the form required pursuant to subdivision (b) of Section 4014, or any similar form created for the purpose of collecting child or spousal support payments may not be redacted pursuant to subdivision (a).

Declared unconstitutional on its face:

2024.6. (a) Upon request by a party to a petition for dissolution of marriage, nullity of marriage, or legal separation, the court shall order a pleading that lists the parties' financial assets and liabilities and provides the location or identifying information about those assets and liabilities sealed. The request may be made by ex parte application. Nothing sealed pursuant to this section may be unsealed except upon petition to the court and good cause shown.

(b) Commencing not later than July 1, 2005, the Judicial Council form used to declare assets and liabilities of the parties in a proceeding for dissolution of marriage, nullity of marriage, or legal separation of the parties shall require the party filing the form to state whether the declaration contains identifying information on the assets and liabilities listed therein. If the party making the request uses a pleading other than the Judicial Council form, the pleading shall exhibit a notice on the front page, in bold capital letters, that the pleading lists and identifies financial information and is therefore subject to this section.

(c) For purposes of this section, "pleading" means a document that sets forth or declares the parties' assets and liabilities, income and expenses, a marital settlement agreement that lists and identifies the parties' assets and liabilities, or any document filed with the court incidental to the declaration or agreement that lists and identifies financial information.

(d) The party making the request to seal a pleading pursuant to subdivision (a) shall serve a copy of the pleading on the other party to the proceeding and file a proof of service with the request to seal the pleading.

(e) Nothing in this section precludes a party to a proceeding described in this section from using any document or information contained in a sealed pleading in any manner that is not otherwise prohibited by law.